

REMARKS

Claims 10-12, 14, 15, 17, 19-22, and 28 are pending.

Claims 13, 23-27, and 29-34 are currently withdrawn from consideration.

Claims 16 and 18 have been cancelled.

Claims 12, 16, 17, 19-22 have been amended to remove the objections raised by the Examiner.

It is noted with appreciation that claims 12, 16, 17, and 19-22 are objected to as depending from a rejected base claim and would be allowable if rewritten in independent form.

With regards to claim 12, the claim has been rewritten in independent form to include all the limitations of independent claim 10 and to overcome the indefiniteness rejection of claim 10 under 35 USC 112, second paragraph. Specifically, the term “the housing framing” was corrected to read “the framing element”, which has proper antecedent basis in the claim. Accordingly, the objection to claim 12 has been removed and the claim is now believed to be in condition for allowance.

With regards to claim 16, independent claim 14 has been rewritten to include the subject matter of objected to claim 16, and claim 16 has been canceled. As claim 16 was noted as being allowable if rewritten in independent form to include all the limitation of the base claim, claim 14, which now incorporates the subject matter of claim 16, is believed to be in condition for allowance as the objection to claim 16 has been removed.

With regards to objected claims 17 and 19-22, that depended from claim 16, and have been amended to depend from allowable claim 14, these claims are also believed to be in condition for allowance as the objections have been removed.

The rejections of claim 14 under 35 USC 102(b) as being anticipated by Toshiaki et al ('214) and Boddy ('385) are thus moot as failing to anticipate the subject matter of claim 16 which has been incorporated into claim 14.

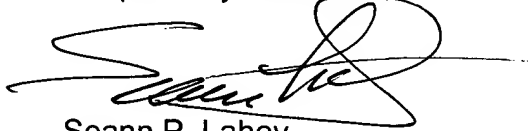
With regards to claims 15 and 28, the rejections based on anticipation by Boddy ('385) are accordingly moot as claims 15 and 28 now depend from an allowable base claim due to the incorporation of the subject matter of claim 16 into claim 14, on which the claims depend.

Claim 10 is rejected under 35 USC 102(b) as being anticipated by Boddy ('385). The Boddy reference discloses a rearview mirror assembly having a housing including a bracket 32, which the Examiner reads as a framing element, for attaching around a portion of the exterior circumference of a holding tube 16. The remaining circumferential portion of the exterior of the holding tube is received in a recess 30 within housing 14. A resilient engagement element 44, which the Examiner reads as a clamping part, is bent in the shape of a hairpin. The resilient engagement element 44 is inserted into the end of the holding tube and includes a prong 48 protruding through an opening in holding tube 16 for engaging an opening in bracket 32, when attached to housing 14. Bracket 32 and engagement element 44 do not cooperate to circumferentially enclose holding tube 16. Additionally, the bracket and engagement element do not snap together to enclose holding tube 16. Claim 10 calls for the framing element and the clamping part to cooperate so that they circumferentially enclose and clamp around the holding tube. Boddy does not disclose such an arrangement and accordingly, applicant requests that the Examiner withdraw the rejection to claim 10 based on anticipation by Boddy.

Claim 11, which depends from claim 10, is rejected under 35 USC 102(b) as being anticipated by Boddy ('385). Claim 11 has been amended to call for the clamping part to be a bracket element having a recess adapted for receiving a portion of the circumference of the holding tube. As noted above, resilient engagement element 44, which the Examiner reads as the clamping part, is a hairpin shaped element that is inserted into the end of the holding tube. There is no disclosure of the resilient engagement element having a recess adapted for receiving a portion of the circumference of the holding tube. Accordingly, applicant requests that the Examiner withdraw the rejection to claim 11 based on anticipation by Boddy.

Favorable action on these remarks and passing of the case to issue is respectfully requested in due course of Patent Office business.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Seann P. Lahey', is written over a horizontal line.

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